

FRANK S. NICKERSON.

FEBRUARY 29, 1904.—Ordered to be printed.

Mr. BURNHAM, from the Committee on Pensions, submitted the following

REPORT.

[To accompany H. R. 11194.]

The Committee on Pensions, to whom was referred the bill (H. R. 11194) granting an increase of pension to Frank S. Nickerson, have examined the same and report:

The report of the Committee on Invalid Pensions of the House of Representatives, hereto appended, is adopted and the passage of the bill is recommended.

The House report is as follows:

Frank S. Nickerson, now 79 years of age, served as major and lieutenant-colonel of the Fourth Maine Infantry from June 15, 1861, to November 29, 1861, when honorably discharged on tender of resignation to enable him to accept a commission as colonel of the Fourteenth Maine Volunteers; that he served as such until April 18, 1863, when he vacated his commission by reason of his acceptance on that date of a commission as brigadier-general of volunteers, and that he served as such until May 13, 1865, when honorably discharged.

While serving as brigadier-general of United States Volunteers he contracted rheumatism in Louisiana in July, 1863, and he is now pensioned under the general law on account of this disability at \$30 per month.

A claim for increase of pension, filed in March, 1901, was rejected on November 7, 1903, upon the ground that it was not shown that the rheumatism had increased in severity to such an extent as to render periodical aid and attendance necessary; that his almost helplessness was due to advanced age and not to the rheumatism.

When last examined, on October 14, 1903, the board of surgeons described his condition as follows:

"An infirm old man, coming with an attendant upon whom he is dependent. Uses a cane and moves about carefully and with danger of falling. Is extremely feeble. Arms are limited in motion, and while the right can be carried to near the level with the shoulder, but not above, the left can not be lifted as far. The large joints creak and all muscles are hard, stiff, and painful. Because of this limitation he can not put on or button a collar or tie his necktie. He can feed himself, but can not take a bath unaided. The heart is extremely irritable and easily accelerated in action. He gets easily out of breath.

"We find him entitled to the intermediate grade rate of \$50 per month for disability requiring the frequent and periodical aid and attendance of another person."

Proof filed in the Pension Bureau in August, 1903, sets forth that the officer has been confined to his bed quite often; that he has required and received constant attendance, having been unable to use his right hand so as to cut and prepare his food, and that he had been unable to dress himself without assistance.

Your committee does not believe that the officer's necessity for aid and attendance is wholly due to senility, but that the disability for which pensioned is in part responsible for such aid.

An increase of the officer's pension from \$30 to \$40 per month is therefore just and proper.

The passage of the bill is recommended.

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